

PATENT
Docket No. AN 2001-00

RECEIVED

SEP 30 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I hereby certify that this paper and all enclosures are being sent via first class mail on the date indicated below to the attention of the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: September 15, 2003

Peggy Nichols
Peggy Nichols

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kin-Ping WONG

Confirmation No.: 5971

Filing Date: December 13, 2001

Examiner: Lilling, Herbert J.

Serial No.: 10/021,820

Group Art Unit: 1651

Title: COMPOSITIONS CONTAINING AN ACTIVE FRACTION ISOLATED FROM
TRICHOLOMA CONGLOBATUM AND METHODS OF USE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the reference listed on the attached form PTO-1449a and PTO-1449b are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make this document of record.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No.[] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: U. S. Patent No. 5,596,018.
- ☐ Copies of the items listed in the attached Form PTO-1449 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. 09/922,405 filed August 3, 2001 and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).
- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case.

A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

- ☐ Applicants bring to the Office's attention the following related, co-pending application(s):

V. Conclusion:

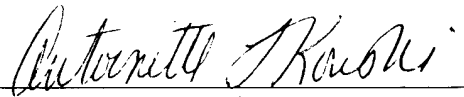
Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

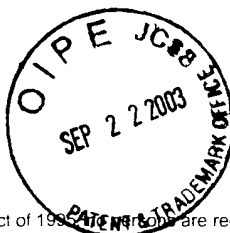
It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449A & B with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-2518, billing reference number: 2023888-7009702001 for any additional fees required in connection with the filing of this Supplemental Information Disclosure Statement.

Respectfully submitted,

Dated: September 15, 2003

By: 
Antoinette F. Konski
Registration No. 34,202

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Telephone: (650) 849-4950
Facsimile: (650) 849-4800



RECEIVED

PTO/SB/08A (10-01)

Approved for use through 10/31/2003 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, the information on this form is required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A-PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number 10/021,900
Filing Date December 13, 2001
First Named Inventor Kin-Ping WONG
Art Unit 1651
Examiner Name Lilling, Herbert J.
Attorney Docket Number AN 2004.00

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US-4,177,108	12-4-79	Sakakida, et. al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

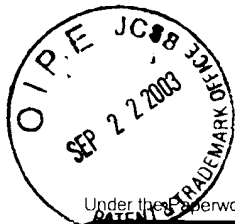
Examiner's
Signature

Date
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

+ Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.



PTO/SB/08B (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

+

Substitute for form 1449B-PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **1**

Complete if Known

Application Number	1001848
Filing Date	December 13, 2001
First Named Inventor	KIM-PING NG
Art Unit	1651
Examiner Name	TECH CENTER, Liling, 1600200 J.
Attorney Docket Number	AN 2004.00

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	1	KAWAMURA, et al., "Anti-Tumorigenic and Immunoactive Protein and Peptide Factors in Foodstuffs", Royal Society of Chemistry, (1993), 123:327-330, XP002938937	
	2	KIZUKI, et al., "Kinin-inactivating enzyme from the mushroom Tricholoma conglobatum. VII. Suppression of epinephrine-induced pulmonary edema in rats", Chem. Pharm. Bull., (1981), (Abstract) XP-002217944	
	3	KIZUKI, et al., "Kinin-inactivating enzyme from mushroom Tricholoma conglobatum. II. Some enzymic properties of the purified enzyme", Chem. Pharm. Bull., (1979), (Abstract) XP-002217945	
	4	KIZUKI, et al., "Kinin-inactivating enzyme from mushroom Tricholoma conglobatum. III. stability in the rat body and kinin suppression in vivo", Chem. Pharm. Bull., (1979), (Abstract) XP-002217946	
	5	KIZUKI, et al., "Kinin-inactivating enzyme from the mushroom Tricholoma conglobatum. I. Purification and the sites of action on bradykinin molecule", Chem. Pharm. Bull., (1976), (Abstract) XP-002217947	
	6	MORIYA, et al., "Potent kininases obtained from mushrooms", Adv. Exp. Med. Biol., (1976), (Abstract), XP-002217943	
	7	WANG, et al., "Immunomodulatory and Antitumor Activities of a Polysaccharide-Peptide complex from a Mycelial Culture of Tricholoma SP, A Local Edible Mushroom", Live Sciences, (1995), 3:269-281	
	8	International Search Report Dated 7/11/2002	

Examiner's
SignatureDate
Considered